

# **EXHIBIT A**

**Cairella, Giancarlo**

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**From:** Sheehan, Kathryn  
**Sent:** Wednesday, November 12, 2008 1:47 PM  
**To:** Cairella, Giancarlo; Garver, Adrian  
**Subject:** RE: Privileged and confidential: Junie Hoang

REDACTED FOR PRIVILEGE

-----Original Message-----

**From:** Cairella, Giancarlo  
**Sent:** Wednesday, November 12, 2008 1:45 PM  
**To:** Sheehan, Kathryn; Garver, Adrian  
**Subject:** RE: Privileged and confidential: Junie Hoang

REDACTED FOR PRIVILEGE

-----Original Message-----

**From:** Sheehan, Kathryn  
**Sent:** Wednesday, November 12, 2008 1:07 PM  
**To:** Garver, Adrian; Cairella, Giancarlo  
**Subject:** RE: Privileged and confidential: Junie Hoang

REDACTED FOR PRIVILEGE

-----Original Message-----

**From:** Garver, Adrian  
**Sent:** Wednesday, November 12, 2008 12:54 PM  
**To:** Cairella, Giancarlo; Sheehan, Kathryn  
**Subject:** RE: Privileged and confidential: Junie Hoang

REDACTED FOR PRIVILEGE

-----Original Message-----

From: Cairella, Giancarlo  
Sent: Friday, October 03, 2008 10:19 AM  
To: Garver, Adrian  
Subject: Privileged and confidential: Junie Hoang

REDACTED FOR PRIVILEGE

Date: Thu Oct 2 22:38:13 2008  
From: juniehoang@hotmail.com  
To: IMDb Help Desk  
Subject: BIRTHDATE

URL: <http://www.imdb.com/name/nm0387470>

THE BIRTHDATE YOU HAVE LISTED ON MY PROFILE IS INCORRECT. MY PREVIOUS AGENT SUBMITTED IT IN ERROR. SHE SEEMED TO HAVE EASILY GOTTEN IT ON HERE WITH ABSOLUTELY NO VERIFICATION, DOCUMENTATION OR IDENTIFICATION. IMDb IS NOW TAKING HER SUBMISSION AS FACT. IMDb WROTE SAYING THAT THE INFO THEY HAVE IS FACTUAL.

PLEASE GO BACK ON YOUR FILES AND SEE IF YOU HAVE ANY DOCUMENTATION, VERIFICATION OR IDENTIFICATION THAT MY BIRTHDATE IS IN 1978. IF YOU DO, PLEASE EMAIL IT TO ME BECAUSE I NEED TO SEE WHAT YOU'RE GOING OFF OF. YOU WON'T FIND ANY PROOF ON RECORD BECAUSE I KNOW THAT 1978 ISN'T MY DATE OF BIRTH, SO PLEASE DELETE IT. I AM NOW TRYING TO REMOVE IT BY ATTACHING FOR YOU A LINK THAT I CREATED AT [www.juniehoang.com/imdb](http://www.juniehoang.com/imdb) FROM THIS LINK, YOU CAN VIEW MY BIRTH CERTIFICATE AND OFFICIAL, NOTARIZED LETTER FROM MY LEGAL COUNSEL/ATTORNEY TO PROVE THAT THE DATA YOU HAVE IS WRONG. I DO NOT HAVE AN OLD OR CURRENT PASSPORT TO SEND YOU. I DON'T KNOW WHY MY AGENT WAS ABLE TO GET MY BIRTHDATE ON HERE SO EASILY WITH NO EVIDENCE WHATSOEVER AND I'M PROVIDING YOU LEGAL DOCUMENTS AND AM GIVEN SUCH A HARD TIME IN JUST TRYING TO GET IT REMOVED. THANKS FOR LOOKING INTO THIS.

## **EXHIBIT B**

*Hoang v. Amazon.com, Inc. and IMDb.com, Inc.*  
**Defendants Amazon.com and IMDb.com, Inc.'s Amended Privilege Log**  
**July 25, 2012**

<b>PRODUCTION BATES NO.</b>	<b>DOCUMENT TYPE</b>	<b>DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>PRIVILEGE CLAIM</b>	<b>WITHHELD/REDACTED</b>
IMDb 000946	Email	10/3/2008	Email reflecting request for legal advice regarding Junie Hoang's birth certificate, from G. Cairella (IMDb.com) to A. Garver (Amazon.com legal department)	Attorney-Client Communication	Redacted
IMDb 000945	Email	11/12/2008	Email string reflecting request for and provision of legal advice regarding Plaintiff's birth date, between G. Cairella (IMDb.com), A. Garver (Amazon.com legal department), and K. Sheehan (Amazon.com in-house counsel)	Attorney-Client Communication	Redacted
IMDb 001091	Email	12/23/2008	Email reflecting request for legal advice regarding response to letter from J. Mack (Plaintiff's counsel) regarding Plaintiff's birth date, from G. Cairella (IMDb.com) to A. Garver (Amazon.com legal department)	Attorney-Client Communication	Redacted
N/A	Email	12/29/2008	Email enclosing voicemail from J. Mack regarding Junie Hoang, from G. Cairella (IMDb.com) to A. Garver (Amazon.com legal department)	Attorney-Client Communication	Withheld
IMDb 000947	Email	2/28/2009	Email reflecting request for legal advice regarding Plaintiff's birth date on IMDb.com between Nancy Rich (IMDb.com) and G. Cairella (IMDb.com)	Attorney-Client Communication	Redacted

*Hoang v. Amazon.com, Inc. and IMDb.com, Inc.*  
**Defendants Amazon.com and IMDb.com, Inc.'s Amended Privilege Log**  
**July 25, 2012**

<b>PRODUCTION BATES NO.</b>	<b>DOCUMENT TYPE</b>	<b>DATE</b>	<b>DOCUMENT DESCRIPTION</b>	<b>PRIVILEGE CLAIM</b>	<b>WITHHELD/REDACTED</b>
N/A	Email	5/4/2011	Email string reflecting request for and provision of legal advice regarding response to letter from J. Dozier, between G. Cairella (IMDb.com) and D. Zapolsky (Amazon.com in-house counsel)	Attorney-Client Communication, Attorney Work Product	Withheld
N/A	Email	5/10/2011	Email string reflecting draft response to letter from J. Dozier, between D. Zapolsky (Amazon.com in-house counsel) and C. Roberts (Amazon.com legal department)	Attorney-Client Communication, Attorney Work Product	Withheld
N/A	Memorandum	10/20/2011	Memorandum regarding Plaintiff and lawsuit, prepared at the direction of counsel, from G. Cairella (IMDb.com) to Perkins Coie LLP, attaching document identified below	Attorney-Client Communication, Attorney Work Product	Withheld
N/A	Document	10/20/2011	Document reflecting selected entries regarding Plaintiff's date of birth on IMDb.com, prepared at the direction of counsel by G. Cairella (IMDb.com) for Perkins Coie LLP	Attorney Work Product	Withheld

## **EXHIBIT C**

**Koehler, Sandra L. (Sandy) (Perkins Coie)**

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**From:** Corey R. Pollard [Corey@cybertriallawyer.com]  
**Sent:** Friday, July 20, 2012 1:16 PM  
**To:** Roos, Breena M. (Perkins Coie)  
**Cc:** Sipos, Charles (Perkins Coie); Locke, Ashley A. (Perkins Coie); derek@newmanlaw.com; randy@newmanlaw.com; docketing@newmanlaw.com; Dov M. Szego; John W. Dozier, Jr.; Kalli L. Jackson  
**Subject:** Plaintiff's Deposition Notices in Hoang v. Amazon.com, Inc. et al.  
**Attachments:** Plaintiff's Deposition Notices 7-20-12.pdf

7/20/12

Breena,

Attached please find deposition notices for the following individuals and entities: (1) Giancarlo Cairella, (2) Kathryn Sheehan, (3) Adrian Garver, (4) David Zapolsky, (5) IMDb.com, and (6) Amazon.com, Inc. As reflected in the accompanying cover letter and in your earlier conversation with Dov Szego, we plan to conduct these depositions on August 1, 2012, August 2, 2012, and August 3, 2012. All of the aforementioned deponents should be made available for deposition on each of these dates.

Please do not hesitate to contact our office to discuss this matter.

Sincerely,

Corey R. Pollard, Esq.  
Dozier Internet Law, P.C.  
11520 Nuckols Road  
Suite 101  
Glen Allen, VA 23059  
Phone: (804) 346-9770, Ext. 314  
Fax: (804) 346-0800

Please visit us at [www.cybertriallawyer.com](http://www.cybertriallawyer.com)

This electronic message is intended for the use of the individual or company to whom it is addressed. If the intended recipient is a client of the firm, the information contained in this message is considered confidential, proprietary, privileged, and may contain attorney/client confidential information and work product. It may also contain trade secrets protected by State and Federal law. If you are not the addressee please do not copy or deliver this message to anyone else. You should immediately delete the message without reading the contents and notify us by return email that the message has been misdirected. We apologize for the inconvenience. Any other use of this information is strictly prohibited. If this email is in response to an inquiry, no attorney/client relationship is established by this response and no such relationship shall arise absent the execution by both you and the firm of a written legal retainer agreement.



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Dozier Internet Law, P.C.  
11520 Nuckols Road  
Suite 101  
Glen Allen, VA 23059  
Phone: (804) 346-9770  
Fax: (804) 346-0800  
www.cybertriallawyer.com

## Dozier Internet Law, P.C.

July 20, 2012

**VIA EMAIL: broos@perkinscoie.com**

Breena M. Roos, Esq.  
Perkins Coie  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099

Re: *Doe v. Amazon.com, Inc., et al.*, No. 2:11-CV-01709-MJP – Plaintiff's Deposition Notices

Dear Ms. Roos:

Enclosed please find deposition notices for the following individuals and entities: (1) Giancarlo Cairella, (2) Kathryn Sheehan, (3) Adrian Garver, (4) David Zapolsky, (5) IMDb.com, Inc., and (6) Amazon.com, Inc. We plan to conduct these depositions on August 1, 2012, August 2, 2012, and August 3, 2012. All of the aforementioned deponents should be made available for deposition on each of these dates.

Please do not hesitate to contact our office to discuss this matter.

Sincerely,



Corey R. Pollard, Esq.

cc: Ashley Locke, Esq.  
Charles Sipos, Esq.  
Derek A. Newman, Esq.  
Randall Moeller, Esq.

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF DEPOSITION OF  
GIANCARLO CAIRELLA

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30, that the testimony of the person named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

**Deponent**

**Place of Deposition**

**Date and Time**

Giancarlo Cairella  
c/o Perkins Coie, LLP  
1201 Third Ave.  
Suite 4900  
Seattle, WA 98101

Newman Du Wors LLP  
1201 Third Ave. Suite 1600  
Seattle, WA 98101

August 1, 2012, 9:00 a.m. PDT

The deposition shall be subject to continuance or adjournment from time to time and place to place until completed.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP  
Derek A. Newman, WSBA No. 26967  
Randall Moeller, WSBA No. 21094  
1201 Third Avenue, Suite 1600  
Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF DEPOSITION OF  
KATHRYN SHEEHAN

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30, that the testimony of the person named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

**Deponent**

Kathryn Sheehan  
Associate General Counsel  
for Amazon.com, Inc.  
c/o Perkins Coie, LLP  
1201 Third Ave. Suite 4900  
Seattle, WA 98101

**Place of Deposition**

Newman Du Wors LLP  
1201 Third Ave. Suite 1600  
Seattle, WA 98101

**Date and Time**

Aug. 1, 2012, 9:00 a.m. PDT

The deposition shall be subject to continuance or adjournment from time to time and place to place until completed.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.

John W. Dozier, Jr., Esq., VSB No. 20559

*Admitted pro hac vice*

DOZIER INTERNET LAW, P.C.

11520 Nuckols Rd., Suite 101

Glen Allen, VA 23059

Tel: 804.346.9770

Fax: 804.346-0800

Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP

Derek A. Newman, WSBA No. 26967

Randall Moeller, WSBA No. 21094

1201 Third Avenue, Suite 1600

Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF FRCP RULE 30(b)(6)  
DEPOSITION OF AMAZON.COM, INC.

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30(b)(6), that the testimony of the entity named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

<u>Deponent</u>	<u>Place of Deposition(s)</u>	<u>Date and Time</u>
Amazon.com, Inc. c/o Perkins Coie, LLP 1201 Third Avenue Suite 4900 Seattle, WA 98101	Newman Du Wors LLP 1201 Third Ave. Suite 1600 Seattle, WA 98101	August 2, 2012, 9:00 a.m. PDT

You are advised that you must designate one or more officers, directors, managing agents, or other persons to testify on your behalf regarding the following:



1. Amazon.com, Inc.'s discovery responses, including all supplemental responses and documents provided;
2. Who at Defendant IMDb.com has access to Amazon.com's internal databases, if anyone;
3. Amazon.com, Inc.'s legal department's role in IMDb.com activities, specifically with respect to privacy issues and to Plaintiff.
4. Amazon.com, Inc.'s privacy policies and user agreements;
5. The "tokenization," use of third-party payment processors, and processing of credit card information as indicated in Defendant IMDb's supplemental responses to Plaintiff's Interrogatories 4 and 11; and
6. Amazon.com, Inc.'s use of the information received through the "tokenization," and processing of credit card information as indicated in IMDb's supplemental response to Plaintiff's Interrogatories 4 and 11.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP  
Derek A. Newman, WSBA No. 26967  
Randall Moeller, WSBA No. 21094  
1201 Third Avenue, Suite 1600  
Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF FRCP RULE 30(b)(6)  
DEPOSITION OF IMDb.COM, INC.

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30(b)(6), that the testimony of the entity named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

<u>Deponent</u>	<u>Place of Deposition(s)</u>	<u>Date and Time</u>
IMDb.com, Inc. c/o Perkins Coie, LLP 1201 Third Ave. Suite 4900 Seattle, WA 98101	Newman Du Wors LLP 1201 Third Ave. Suite 1600 Seattle, WA 98101	Aug. 2, 2012, 9:00 a.m. PDT

You are advised that you must designate one or more officers, directors, managing agents, or other persons to testify on your behalf regarding the following:

1. IMDb.com, Inc.'s discovery responses, including all supplemental responses and documents provided;
2. Who at IMDb.com has access to Amazon.com's internal databases, if anyone;
3. IMDb.com, Inc.'s privacy policies, subscriber agreements, and user agreements;
4. Whether in-house counsel for Amazon.com, Inc. advises IMDb.com employees on legal matters, and if so, the names of in-house counsel who provide such advice;
5. The information kept "behind the firewall," as referenced by IMDb's response and supplemental response to Interrogatories 4 and 11, including, but not limited to, Bates documents IMDb001087-1090, who has access to that information, and how that information is used;
6. The "tokenization," use of third-party payment processors, and processing of credit card information as indicated in IMDb.com's supplemental responses to Plaintiff's Interrogatories 4 and 11;
7. Public records searches performed by IMDb.com for Plaintiff's legal name and/or date of birth, including but not limited to those identified in IMDb.com's responses to Plaintiff's Interrogatories 6 and 7 and Bates documents IMDb001053-1086 and documents regarding searches obtained from Privateeye.com;
8. IMDb.com's policies regarding use of information obtained during the IMDbPro subscription process, including credit card information; and
9. IMDb.com's correspondence to and from Plaintiff and her agents regarding changing or removing the date of birth listed for "Junie Hoang" on IMDb.com.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP  
Derek A. Newman, WSBA No. 26967  
Randall Moeller, WSBA No. 21094  
1201 Third Avenue, Suite 1600  
Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF DEPOSITION OF  
DAVID ZAPOLSKY

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30, that the testimony of the person named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

**Deponent**

David Zapolsky  
Associate General Counsel  
for Amazon.com, Inc.  
c/o Perkins Coie, LLP  
1201 Third Ave. Suite 4900  
Seattle, WA 98101

**Place of Deposition**

Newman Du Wors LLP  
1201 Third Ave. Suite 1600  
Seattle, WA 98101

**Date and Time**

Aug. 2, 2012, 9:00 a.m. PDT

The deposition shall be subject to continuance or adjournment from time to time and place to place until completed.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.

John W. Dozier, Jr., Esq., VSB No. 20559

*Admitted pro hac vice*

DOZIER INTERNET LAW, P.C.

11520 Nuckols Rd., Suite 101

Glen Allen, VA 23059

Tel: 804.346.9770

Fax: 804.346-0800

Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP

Derek A. Newman, WSBA No. 26967

Randall Moeller, WSBA No. 21094

1201 Third Avenue, Suite 1600

Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual



**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION

HUONG HOANG,

Plaintiff,

v.

AMAZON.COM, INC., et al.,

Defendants.

No. 2:11-CV-01709-MJP

NOTICE OF DEPOSITION OF  
ADRIAN GARVER

**TO:** All Parties

**AND TO:** Their Counsel of Record

PLEASE TAKE NOTICE, pursuant to Federal Rule of Civil Procedure 30, that the testimony of the person named below will be taken upon oral examination at the request of Plaintiff Huong Hoang in the above-entitled action, before a Notary Public, at the time(s), date(s), and place(s) specified below. The testimony will be recorded stenographically and by sound and videographic recording.

**Deponent**

**Place of Deposition**

**Date and Time**

Adrian Garver  
c/o Perkins Coie, LLP  
1201 Third Avenue  
Suite 4900  
Seattle, WA 98101

Newman Du Wors LLP  
1201 Third Avenue  
Suite 1600  
Seattle, WA 98101

August 2, 2012, 9:00 a.m. PDT

The deposition shall be subject to continuance or adjournment from time to time and place to place until completed.

Dated: July 20, 2012

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

NEWMAN DU WORS LLP  
Derek A. Newman, WSBA No. 26967  
Randall Moeller, WSBA No. 21094  
1201 Third Avenue, Suite 1600  
Seattle, WA 98101

Attorneys for Plaintiff Huong Hoang, an individual

**CERTIFICATE OF SERVICE**

I certify that on July 20, 2012, I served the foregoing NOTICE OF DEPOSITION to the following attorneys of record via email:

Charles C. Sipos (csipos@perkinscoie.com)  
Breena M. Roos (broos@perkinscoie.com)  
Ashley A. Locke (alocke@perkinscoie.com)  
PERKINS COIE LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101

Attorneys for Defendants Amazon.com, Inc. and IMDb.com, Inc.

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 20th day of July, 2012.

/s/ John W. Dozier, Jr.  
John W. Dozier, Jr., Esq., VSB No. 20559  
*Admitted pro hac vice*  
DOZIER INTERNET LAW, P.C.  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
Tel: 804.346.9770  
Fax: 804.346-0800  
Email: jwd@cybertriallawyer.com

## **EXHIBIT D**

**Koehler, Sandra L. (Sandy) (Perkins Coie)**

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**From:** Kalli L. Jackson [Kalli@cybertriallawyer.com]  
**Sent:** Wednesday, July 25, 2012 3:25 PM  
**To:** Roos, Breena M. (Perkins Coie)  
**Cc:** Locke, Ashley A. (Perkins Coie); Sipos, Charles (Perkins Coie); John W. Dozier, Jr.; Dov M. Szego  
**Subject:** Hoang v. Amazon - Rule 37 Conference Follow Up

Breena,

Both John and Dov are traveling today, but I wanted to get back to you on the three issues we agreed to follow up on after yesterday's Rule 37 conference surrounding Deposition Notices. Based on your representation in Defendants' Amended Privilege Log that Mr. Zapolsky's only involvement in this case was in preparing a response to Mr. Dozier's May 2011 correspondence, we will not depose him. As discussed at length during our Rule 37 conference yesterday, we would like to depose Ms. Sheehan, or at the very least, keep her deposition scheduled until we have the opportunity to depose Mr. Cairella and Mr. Garver regarding their November 2008 communications with her (Bates IMDb 945-947). You advised that you would not produce Ms. Sheehan for deposition in any event. Regarding Amazon.com's privacy policies, which is a category we have identified on our 30(b)(6) deposition notice of Amazon.com, Inc., and to which you object, we do not agree to withdraw this category. Amazon.com's privacy policy is at issue in this case as alleged in the Second Amended Complaint, attached thereto, and referred to and produced in discovery.

You also asked if we are amenable to deposing certain individuals that you may produce for the 30(b)(6) depositions in L.A. rather than Seattle. We would prefer to depose everyone in Seattle on the dates we have noticed (August 1-3, 2012).

As a reminder, you were going to follow-up with us on a couple issues as well, one of which was the "Work Product" designation on the 11/12/2008 email string listed on Defendants' Amended Privilege Log. You were also going to add Bates document numbers to the privilege log, and let us know what remaining individuals will be produced, if any, for the 30(b)(6) depositions.

During the Rule 37 conference, the parties generally agreed that the defendants will be deposed in the following order:

Aug. 1 – Cairella in his individual capacity; Garver in his individual capacity  
Aug. 2 – Cairella in his 30(b)(6) capacity for IMDb; Garver in his 30(b)(6) capacity for Amazon  
Aug. 3 – Additional depositions that may run over from the previous days, and additional individuals that may be produced for the 30(b)(6) depositions

Please let me know if there is anything I missed or that you disagree with.

Sincerely,

Kalli L. Jackson, Esq.  
Dozier Internet Law, P.C.  
11520 Nuckols Road  
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Please visit us at [www.cybertriallawyer.com](http://www.cybertriallawyer.com)

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# **EXHIBIT E**

**Koehler, Sandra L. (Sandy) (Perkins Coie)**

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**From:** Walsh, Maryellen (Perkins Coie)  
**Sent:** Monday, July 30, 2012 5:01 PM  
**To:** dov@cybertriallawyer.com; kalli@cybertriallawyer.com  
**Cc:** jwd@cybertriallawyer.com; derek@newmanlaw.com; randy@newmanlaw.com; Sipos, Charles (Perkins Coie); Roos, Breena M. (Perkins Coie); Locke, Ashley A. (Perkins Coie)  
**Subject:** Hoang v. Amazon  
**Attachments:** 2012-07-30 Letter to Szego and Jackson.pdf

Dear Counsel,

Attached is a letter that I am sending you on behalf of Breena Roos.

Maryellen Walsh  
Litigation Secretary  
Perkins Coie LLP  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101  
[MWalsh@perkinscoie.com](mailto:MWalsh@perkinscoie.com)  
(206) 359-3738

The message is ready to be sent with the following file or link attachments:

2012-07-30 Letter to Szego and Jackson.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.





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July 30, 2012

**VIA EMAIL**

Dov Michael Szego  
Kalli L. Jackson  
11520 Nuckols Rd., Suite 101  
Glen Allen, VA 23059  
dov@cybertriallawyer.com  
kalli@cybertriallawyer.com

**Re: Hoang v. Amazon.com, Inc., et al. / Rule 37 Conference**

Dear Dov and Kalli:

We write to follow up on matters discussed during our Rule 37 conference on Tuesday, July 24, 2012.

**Deposition of David Zapolsky.** During the Rule 37 conference, we discussed Notice of Deposition of David Zapolsky, in-house counsel for Amazon.com, Inc. On July 25, 2012, you withdrew your request for Mr. Zapolsky's deposition.

**Deposition of Kathryn Sheehan.** During the Rule 37 conference we also discussed the Notice of Deposition of Kathy Sheehan that sets her deposition for August 1 at 9:00 a.m. PDT. I explained that Ms. Sheehan, Associate General Counsel at Amazon.com, Inc., has no relevant information to this lawsuit that is not privileged or work product. Ms. Sheehan's limited knowledge of matters relevant to this lawsuit is privileged, as she has acted only in the capacity as counsel providing legal advice to IMDb.com, Inc.

In questioning the basis of privilege, you referred to documents Bates IMDb00945-46, which have been redacted for privilege. You indicated that you intend to question Giancarlo Cairella, Adrian Garver, Amazon.com's Rule 30(b)(6) witness, and IMDb.com's Rule 30(b)(6) witness regarding the foundation for IMDb.com's assertion of privilege. You further requested that we keep Ms. Sheehan's deposition "on the calendar" so that you may evaluate Defendants' assertion of privilege after those depositions. However, you agreed to reach a final decision regarding Ms.

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Perkins Coie LLP

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Sheehan's deposition notice by July 25. Via email on July 25, your office stated that you do not agree to withdraw the notice of deposition for Ms. Sheehan. We interpret your unsupported insistence on taking Ms. Sheehan's deposition in the face of IMDb.com's assertion of privilege as oppressive, burdensome, and harassing.

**Amazon.com 30(b)(6) Deposition.** During the Rule 37 conference, we also discussed the Topics listed in the Rule 30(b)(6) Notice of Deposition of Amazon.com, Inc., specifically Topics 3 ("Amazon.com, Inc.'s legal department's role in IMDb.com activities, specifically with respect to privacy issues and to Plaintiff"), 4 ("Amazon.com, Inc.'s privacy policies and user agreements"), 5 ("The 'tokenization,' use of third-party payment processors, and processing of credit card information as indicated in Defendant IMDb's supplemental responses to Plaintiff's Interrogatories 4 and 11"), and 6 ("Amazon.com, Inc.'s use of the information received through the 'tokenization,' and processing of credit card information as indicated in IMDb's supplemental response to Plaintiff's Interrogatories 4 and 11"). Each of these Topics is addressed below.

- **Topic 3.** As we noted during our Rule 37 conference, we interpret Topic 3 as requesting testimony regarding the substance of privilege matters, rather than limiting itself to the foundation for privilege assertions. Amazon.com's Rule 30(b)(6) witness will respond to questions regarding non-privileged background regarding its legal department's role in IMDb.com activities and the foundation for the assertions of privilege made in this matter, but no broader. Detailed questioning about privileged communications is not appropriate in Amazon.com's Rule 30(b)(6) deposition.
- **Topic 4.** As noted in the Rule 37 conference, we object to Topic 4 as irrelevant to Plaintiff's claims in this matter. Amazon.com's privacy policies and user agreements are not at issue in this lawsuit, particularly because Plaintiff's fraud claim was dismissed. On July 25, you notified us that Plaintiff refuses to withdraw this Topic. Without waiving this objection, Amazon.com will provide a witness to testify regarding the single Amazon.com privacy notice produced in discovery in this matter.
- **Topics 5 and 6.** During the Rule 37 conference, we also discussed the breadth of Topics 5 and 6. As I noted during the conference, our reading of these Topics is that they seek information regarding the tokenization and processing of credit card information that Plaintiff submitted to IMDb.com in connection with her IMDbPro subscription. Subject to this interpretation, Amazon.com will provide a witness to testify regarding Topics 5 and 6.

**Schedule.** Based on our discussions during the Rule 37 conference and Kalli's July 25, 2012 email, we understand that we will follow the below schedule for Plaintiff's deposition of Amazon.com and IMDb.com witnesses:

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- August 1, 2012: Giancarlo Cairella (morning) and Adrian Garver (afternoon)
- August 2, 2012: IMDb.com 30(b)(6) deposition, Topics 1, 3-4, and 7-9 (morning) and Amazon.com 30(b)(6) deposition, Topics 1-4 (afternoon).
- August 3, 2012: IMDb.com 30 (b)(6) deposition, Topics 2 and 5-6 and Amazon.com 30(b)(6) deposition, Topics 5-6.

Please immediately let me know if your understanding of our Rule 37 conference varies from the above.

Thank you,



Breana M. Roos

cc. J. Dozier